

A
B I L L

FOR

The Re-afforesting of the Waste Lands of Ireland.

A.D. 1884.

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

5

Preliminary.

1. This Act may be cited as the Re-afforesting of the Waste Lands of Ireland Act, 1884. Short title.

2. *On and after the passing of this Act* it shall be lawful for the occupier of any parcel of waste or semi-waste land not now bearing trees to plant one or more trees thereon for the purpose of shelter, for the regulation of water supply, for the preservation of the soil, or for the growth of timber, and each tree so planted shall be the property of him that plants it until it reaches maturity according to its kind, when he may cut it down and carry it away, unless he shall have previously sold his property therein, or shall have been compensated for it, or shall owe rent for the land whereon it grew. Occupier may plant waste land.

3. *From and after the passing of this Act* tenants of lands for statutory terms, and subject to statutory conditions under the Land Law (Ireland) Act, 1881, shall be entitled to claim and exercise the rights and privileges conferred by the statute passed in the Parliament of Ireland in the fifth year of the reign of His late Majesty King George the Third, intituled "An Act for encouraging the planting of timber trees," in the same manner as if they had been such tenants for lives renewable for ever, as are in the said last-mentioned Act mentioned or referred to in reference to all such timber trees or woods as shall be planted by such tenants from and after the passing of this Act. Extension of Act 5 Geo. 3. c. 17.

For the purposes of this Act all such timber trees and woods shall nevertheless, until the contrary is proved, be deemed to have been so planted by the inheritors of the said lands, unless such tenants shall fulfil the conditions specified and carry out the several

[Bill 40.]

A

A.D. 1894.

proceedings set forth in the third section of the said last-mentioned Act; and for the purposes aforesaid the provisions of the said section shall apply to and be in force in relation to such timber trees and woods as if the same had been planted pursuant to the enabling provisions of the said Act.

5

Creation of
Forest De-
partment for
Ireland.

4. It shall be lawful for the Lord Lieutenant of Ireland, by warrant under his hand, to appoint a fit and proper person, eminent for his knowledge and skill in the science and practice of forestry, to be Chief Forest Conservator for Ireland, who shall be paid such salary and perform such duties as the Treasury may from time to time determine.

10

It shall further be lawful for the Lord Lieutenant of Ireland to appoint five persons to be Commissioners of Forestry for Ireland, of whom one shall be the Chief Commissioner of Works for Ireland for the time being, one shall be the Vice President of the Local Government Board, one shall be the aforesaid Chief Forest Conservator for Ireland, and two shall be such persons, one eminent in the law and one eminent for his knowledge of forestry, as the Lord Lieutenant shall select and appoint, and who shall be willing to act as unpaid Commissioners. The Commissioners aforesaid shall constitute and be known as the Forest Department of Ireland, and they shall be a body corporate and shall possess a common seal, and be capable of acquiring lands for the purposes of this Act.

15

The Forest Department of Ireland constituted as aforesaid may, with the consent of the Treasury, appoint a secretary, and such Assistant Forest Conservators, and inspectors and other necessary officers, as the Treasury shall sanction, who shall be paid such salaries as the Treasury may allow.

25

Loans to
persons about
to plant.

5. It may be lawful for the Commissioners of Her Majesty's Treasury to authorise the Commissioners of Public Works in Ireland to advance, by way of loan, to owners and occupiers of land in Ireland, for the purpose of planting suitable timber trees, such moneys as the Forest Department shall certify as fit and proper for the re-afforesting of specified areas of land. The moneys so advanced shall, with all interest accruing thereon, be a first charge on the trees, timber, and land next after any quit and Crown rents, and after any other charge on the said lands to which they may be already subject as a claim or claims for advances on the part of Her Majesty's Treasury or other Government Department. The said Commissioners of Public Works are hereby authorised to advance all such moneys as above specified at the rate of one pound sterling per centum per annum for the first seven years from

30

35

Progressive
rates of re-
payment of
planting
loans.

40

the date of the planting, with an increment to *two and a half per centum per annum* during a second period of *fourteen years* duration, and a charge of *five per centum per annum* from the termination of the *twenty-first year* of the planting onwards, until the entire advance, principal and interest, and all balances of interest, be fully repaid to the State on the basis of *three and a quarter per centum per annum* from the date of the commencement of the loan.

A.D. 1884.

6. For the purposes of loans for planting forests of public utility or necessity and for the further purposes of this Act, a sum of *one million sterling* may be advanced in suitable amounts as required from time to time out of the proceeds of the Irish Church Fund to the said Commissioners of Public Works for the use of the Forest Department of Ireland.

Forests of public utility or necessity.

It shall be lawful for the Forest Department of Ireland to acquire, at the best price they can, by purchase or to rent for terms of years, suitable lands for the purposes of planting forests wherever it shall be clearly shown on full inquiry that forests are urgently required for shade or shelter, for the purposes of wind breaks, for the protection of agricultural lands, for the control or regulation of water supply, for the preservation of soil, for the remedy of floods and torrents, or for the improvement of any other of the physical conditions subservient to animal or vegetable life.

7. It may be lawful for any board of guardians in Ireland, with the consent of the Local Government Board, to rent waste lands for the purpose of re-afforesting the same when on the report of the Forest Department of Ireland it shall be found that the said lands are suitable for said purpose. Any board of guardians carrying out re-afforesting operations in Ireland shall be entitled to receive from the Forest Department of Ireland a detailed scheme for the planting operations most suitable to the locality, and the works shall be inspected and reported upon by an officer of the Forest Department from time to time.

Boards of guardians may plant waste lands.

For the purposes of this Act loans at the progressive rates hereinbefore specified may be issued by the said Commissioners of Public Works to boards of guardians on the certificate of the Forest Department as to the fitness of the works contemplated. The profits derivable from forests, the property of boards of guardians as aforesaid, shall be applied in the reduction of the poor law rates in the union concerned.

8. Wherever floods and torrents prevail in any part of Ireland it shall be lawful for the Forest Department of Ireland to institute an

Control of floods and torrents.

A.D. 1881. inquiry by competent officers into the nature, origin, and extent of such floods and torrents, and to prepare a scheme for the effectual remedy of the same. The scheme shall contain a schedule of the lands, with their acreage and valuation, and the names of the proprietors and occupiers thereof, in the area involved. The scheme shall also comprise an estimate of the cost of the operations of re-afforesting and all works incident to and necessary for the due execution of the said scheme. Such areas may be designated flood districts, and be called by the name of the chief river, stream, or watercourse involved. It may be lawful for the proprietors and occupiers in any such flood district, when summoned together by the Forest Department, by a majority of not less than two thirds of them, to constitute themselves into a syndicate for the purpose of carrying out the scheme proposed by the Forest Department, if a majority of them shall approve of and adopt it. The syndicate may, with the approval of the Forest Department, and with the consent of the Local Government Board, after due inquiry, impose a rate on the lands involved to be levied *pro rata* on the owners and occupiers of the lands involved in damage by said floods in the flood district concerned.

Formation
of local
syndicates
for planting.

On the neglect or refusal of the proprietors and occupiers to constitute such syndicate within *twelve months* after the publication in the "Dublin Gazette" by the Forest Department of notice of such scheme as aforesaid, the Forest Department may apply for a Provisional Order to the Local Government Board, and if it be granted may itself enter on said lands and carry out the necessary operations, and the expenses thereof shall be a charge *pro rata* on the lands included in the area of the flood district, and set forth in the schedule to the scheme, and shall be duly recoverable in any of Her Majesty's courts.

General
purpose
of Act.

9. And whereas it is now well established that a due proportion of from one fourth to one third of forested lands to the unforested area of any county is necessary for the maintenance of the best climatic, meteorological, and terrene conditions, for the maintenance of water supply, for the preservation of the soil, for the abundance of harvests, for the prosperity of agriculture, for the maintenance of animal life in water and on land, and for the supply of the prime materials for numerous industries, be it further enacted, and it shall be hereafter lawful for the Forest Department of Ireland to rent or purchase suitable tracts of waste lands for the purpose of re-afforesting them, and constituting them State forests in Ireland. It shall further be lawful for the Forest Department of Ireland to

accept the temporary assignment of waste lands for the purpose of re-afforesting them. And when so re-afforested, the Forest Department shall, after the expiry of seven years, on demand of the original owners, their heirs, executors, or assigns, re-convey the said lands and the forests thereon, on repayment in full of all the expenses incurred, with five per centum per annum interest thereon, to the said original owners, their heirs, executors, or assigns. A.D. 1854.

The Forest Department of Ireland may undertake the care, management, and felling of any forests growing on lands so assigned to them, receiving a commission of five per centum per annum for such care and management, calculated on the annual value of the forest. The Forest Department may also accept on like terms the care, direction, and management of any existing forests in Ireland, the proprietors of which may desire to place them under public control.

10. The Forest Department of Ireland shall further have full power and authority to establish whenever they shall think fit a school of forestry for Ireland, and to appoint and remove such professors and officers as they shall deem proper and necessary to carry out a complete system of instruction in the science and practice of forestry, and to conduct examinations in forestry, and to confer a diploma in forestry on such candidates as shall give evidence of competent knowledge and skill in the science and practice of forestry. And for the purposes of such school of forestry in Ireland the Forest Department shall duly administer such funds as may be placed at their disposal by Parliament from time to time for the purpose, or such other funds as may be entrusted to them by gift or bequest, and they are hereby empowered to accept all such gifts and bequests, and to do all other necessary acts in furtherance of the purposes of such school of forestry as aforesaid. School of
Forestry
in Ireland.

Waste Lands Afforestation
(Ireland).

A

B I L L

For the Re-afforesting of the Waste
Lands of Ireland.

*(Prepared and brought in by
Mr. Lynam, Sir Thomas McClure, and
Mr. Mervin Broun.)*

*Ordered, by The House of Commons, to be Printed,
6 February 1884.*

LIST FOR

TABLED IN THE HOUSE OF COMMONS

To be printed, under Authority of the House of Commons, by the
Printer of the House of Commons, at the Stationers' Hall, London.
Printed by Mr. Lynam, Sir Thomas McClure, and Mr. Mervin Broun,
at the House of Commons, at the Stationers' Hall, London.
Printed by Mr. Lynam, Sir Thomas McClure, and Mr. Mervin Broun,
at the House of Commons, at the Stationers' Hall, London.
Printed by Mr. Lynam, Sir Thomas McClure, and Mr. Mervin Broun,
at the House of Commons, at the Stationers' Hall, London.

[Tables I to IV. Price 10s.]

[Bills 40.]